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DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

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DIRECTOR

MICHIGAN BOARD OF NURSING HOME ADMINISTRATORS RULES COMMITTEE WORK GROUP MEETING

MINUTES JUNE 9, 2023

The Michigan Board of Nursing Home Administrators Rules Committee Work Group, met on June 9, 2023. The meeting was held via Zoom.

CALL TO ORDER

Dena Marks, Departmental Specialist, called the meeting to order at 9:02 a.m.

ATTENDANCE

Members Present: Marie Patrick, RN, NHA
Dana Prince, NHA
Paul Pruitt, NHA

Members Absent: None

Staff Present: Dena Marks, Departmental Specialist, Boards and Committees Section
Jacob Poynter, Manager, Licensing Division
Stephanie Wysack, Board Support Technician,
Boards and Committees Section

Public Present: None

RULES DISCUSSION – Nursing Home Administrators – General Rules (A copy of the draft, pursuant to today's discussion, is attached.)

Marks stated that she discussed the educational changes, which were proposed at the last rules committee meeting, with the department and that they agreed with making the change.

Marks stated that NAB HSE changes could be made in the draft, where applicable, and then changed at the September 12, 2023 board meeting, after the NAB presentation, if needed.

Marks stated that R 339.14005, R 339.14007, and R 339.14008 were rescinded and moved elsewhere throughout the draft due to the numbering corrections.

R 339.14011 Accreditation standards; adoption by reference.

Subrule (1): Marks stated that programs suggested by the NAB HSE are also accredited by CHEA, therefore no change would be needed to this subrule.

The rules committee agreed with the language as presented.

R 339.14012 Approved course of instruction and training.

Marks stated that the statute stated “....course of study approved by the board and department...,” so that should be retained in the rules. This would be similar to what several other states require. Additionally, if the bachelor’s degree that is being added is not earned in nursing home administration, these additional courses will ensure that the applicant’s education is sufficient for licensure.

Prince stated that requiring at least a minimum of a bachelor’s degree provided some form of foundation for further advancement.

Marks asked the rules committee if the rule should read that the bachelor’s degree included the courses listed or that the courses would have to be taken separate from the degree.

Poynter confirmed that the department would rely on an attestation from the school that the applicant completed the coursework.

Subrule (b): Marks asked the rules committee if the “....9 semester credits or 144 clock hours of instruction.” should be removed.

Prince stated that the language should stay in order to ensure that the course subjects were not completed in one course.

The rules committee agreed with the language as presented, with the addition of requiring a minimum of a bachelor’s degree and that if the applicant’s bachelor’s degree program included the courses required in the approved course of study, the applicant was not required to earn additional credits to satisfy the course of study requirement.

R 339.14017 Application for initial nursing home administrator license; requirements.

Marks stated that the minimum of a bachelor's degree language would need to be added to this rule as well.

The rules committee agreed to the additional language.

R 339.14020 Relicensure.

Subdivision (1)(iv): Marks stated that she confirmed that NAB would allow retesting, so the language had been updated to include that requirement for applicants whose license had been expired for greater than three years, without an active license in another state or province of Canada.

The rules committee agreed with the language as presented.

R 339.14020a Licensure by endorsement.

Marks asked the rules committee if a third option should be included within the rule to allow for licensure by endorsement to be obtained based on HSE certification, no matter how long the applicant had been licensed in another state.

Discussion held regarding the requirements to obtain and maintain HSE certification.

The rules committee agreed to add a third option to obtaining licensure by endorsement, based on holding HSE certification.

R 339.14021 License renewal; continuing education requirements; limitations. documentation; waiver.

Subrule (2): Marks asked the rules committee if they still wanted the subrule to include a minimum requirement for live or live, synchronous format.

The rules committee agreed to leave the language as is.

R 339.14026a Application for board approval of continuing education course.

Marks stated that this rule had been rescinded based on the decision to allow continuing education courses only covered under R 339.14026.

The rules committee agreed with the rule being rescinded.

ADJOURNMENT

Marks stated that another committee meeting would be needed to continue to work on the proposed draft rules.

Marks adjourned the meeting at 9:45 a.m.

Prepared by:
Stephanie Wysack, Board Support Technician
Bureau of Professional Licensing

June 12, 2023

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

NURSING HOME ADMINISTRATORS

GENERAL RULES

Filed with the secretary of state on

These rules become effective immediately after filing with the secretary of state unless adopted under section 33, 44, or 45a(9) of the administrative procedures act of 1969, 1969 PA 306, MCL 24.233, 24.244, or 24.245a. Rules adopted under these sections become effective 7 days after filing with the secretary of state.

(By authority conferred on the director of the department of licensing and regulatory affairs by sections 16145, 16148, 16178, 16287, and 17309 of the public health code, 1978 PA 368, MCL 333.16145, 333.16148, 333.16178, 333.16287, and 333.17309 and Executive Reorganization Order Nos. 1991-9, 1996-2, 2003-1, and 2011-4, MCL 338.3501, 445.2001, 445.2011, and 445.2030)

R 339.14001, R 339.14011, R 339.14012, R 339.14020, R 339.14020a, R 339.14026, R 339.14032 of the Michigan Administrative Code are amended, R 339.14005, R 339.14007, R 339.14008, R 339.14009, R 339.14022, R 339.14024, R 339.14024a, R 339.14026a, and R 339.14029 are rescinded, and R 339.14006, R 339.14014, R 339.14017, and R 339.14021 are added, as follows:

PART 1. GENERAL PROVISIONS

R 339.14001 Definitions.

Rule 1. (1) As used in these rules:

(a) "Accredited institution" means a college or university that meets the standards set forth in ~~R 339.14005~~**339.14011**.

(b) "Board" means the Michigan board of nursing home administrators.

(c) **"CHEA" means the council of higher education accreditation.**

(d) "Code" means the public health code, 1978 PA 368, MCL 333.1101 to 333.25211.

~~(de)~~ "Department" means the department of licensing and regulatory affairs.

~~(ef)~~ "Life Safety Code" means the National Fire Protection Association 101 Life Safety Code, **2018 edition**.

(g) **"NAB" means the National Association of Long Term Care Administrator Boards.**

(h) **"NAB CORE" means the NAB's CORE: General Knowledge Examination for Long Term Care Administrators.**

(i) “NAB NHA LOS” means the NAB’s NHA: Nursing Home Administrators Line of Service Exam.”

(f) ~~“Sponsor” means a person or an organization offering continuing education courses relating to the practice of nursing home administration.~~

(2) The terms defined in the code have the same meanings when used in these rules.

PART 2. EDUCATION

R 339.14005 Accreditation standards; adoption by reference. **Rescinded.**

~~Rule 5. (1) The department, in consultation with the board, adopts by reference the procedures and criteria for recognizing accrediting organizations of the council of higher education accreditation (CHEA), effective September 24, 2018, and the procedures and criteria for recognizing accrediting agencies of the United States Department of Education, effective July 1, 2010, as contained in 34 CFR part 602 (2010). The CHEA recognition standards may be obtained from the council’s website at <http://www.chea.org> at no cost. The federal recognition criteria may be obtained at no cost from the United States Department of Education’s website at: <http://www.ed.gov>.~~

~~(2) Copies of the standards and criteria recognizing accrediting agencies used by CHEA and the department of education are available for inspection and distribution at cost of 10 cents per page from the Board of Nursing Home Administrators, Bureau of Professional Licensing, Department of Licensing and Regulatory Affairs, 611 West Ottawa, P.O. Box 30670, Lansing, Michigan 48909.~~

339.14006 Training standards for identifying victims of human trafficking; requirements.

Rule 6. (1) Pursuant to section 16148 of the code, MCL 333.16148, an individual seeking licensure or who is licensed or registered shall have completed training in identifying victims of human trafficking that meets the following standards:

(a) Training content must cover all of the following:

(i) Understanding the types and venues of human trafficking in the United States.

(ii) Identifying victims of human trafficking in health care settings.

(iii) Identifying the warning signs of human trafficking in health care settings for adults and minors.

(iv) Resources for reporting the suspected victims of human trafficking.

(b) Acceptable providers or methods of training include any of the following:

(i) Training offered by a nationally recognized or state-recognized health-related organization.

(ii) Training offered by, or in conjunction with, a state or federal agency.

(iii) Training obtained in an educational program that has been approved by the board for initial licensure or registration, or by a college or university.

(iv) Reading an article related to the identification of victims of human trafficking that meets the requirements of subdivision (a) of this subrule and is published in a peer review journal, health care journal, or professional or scientific journal.

(c) Acceptable modalities of training may include any of the following:

(i) Teleconference or webinar.

(ii) Online presentation.

(iii) Live presentation.

(iv) Printed or electronic media.

(2) The department may select and audit a sample of individuals and request documentation of proof of completion of training. If audited by the department, an individual shall provide an acceptable proof of completion of training, including either of the following:

(a) Proof of completion certificate issued by the training provider that includes the date, provider name, name of training, and individual's name.

(b) A self-certification statement by an individual. The self-certification statement must include the individual's name and 1 of the following:

(i) For training completed pursuant to subrule (1)(b)(i) to (iii) of this rule, the date, training provider name, and name of training.

(ii) For training completed pursuant to subrule (1)(b)(iv) of this rule, the title of the article, author, publication name of peer review journal, health care journal, or professional or scientific journal, and date, volume, and issue of publication, as applicable.

R 339.14007 ~~Approved course of instruction and training.~~ **Rescinded.**

~~Rule 7. The department, in consultation with the board, approves a course of instruction and training that meets all of the following:~~

~~—(a) Complies with section 17309(2) of the code, MCL 333.17309(2).~~

~~—(b) Includes, at a minimum, a total of 9 semester credits or 144 clock hours of instruction. The instruction provided shall include all of the following subjects:~~

~~—(i) Administrative management of a nursing home.~~

~~—(ii) Human resources management in a nursing home.~~

~~—(iii) Financial management of a nursing home.~~

~~—(iv) State and federal laws and regulations regarding the nursing home industry, operation of a nursing home, emergency preparedness, including Medicare and Medicaid provider compliance with the requirements of the Life Safety Code, and the protection of patients' health, safety, and welfare in a nursing home.~~

~~—(v) Gerontology or the aging process.~~

~~—(vi) Identification of elder abuse and neglect.~~

~~—(c) Is offered by an accredited institution that meets the standards in R 339.14005.~~

PART 3. LICENSURE

R 339.14008 ~~Application for nursing home administrator license; requirements.~~ **Rescinded.**

~~Rule 8. (1) The department shall issue a nursing home administrator license to an applicant who, in addition to satisfying the requirements of the code, satisfies all of the following:~~

~~—(a) Submits a completed application on a form provided by the department.~~

~~—(b) Pays the required fee to the department.~~

~~—(c) Complies with either of the following:~~

~~—(i) Completed a course of instruction and training that meets the requirements of R 339.14007.~~

(ii) ~~Had been employed as a chief executive or administrative officer at a state-licensed hospital for not less than 5 of the 7 years immediately preceding the date of applying for a nursing home administrator license, as provided in section 17309(3) of the code, MCL 333.17309.~~

~~(2) In addition to meeting the requirements of subrule (1) of this rule, an applicant shall, within 2 years after the date of the application, pass both of the following examinations:~~

~~—(a) The National Association of Long-term Care Administrator Board's (NAB) Core of Knowledge Examination for Long-Term Care Administrators (CORE) administered by the professional examination service of the NAB or its successor organization, pursuant to R 339.14011.~~

~~—(b) The NAB National Nursing Home Administrators Line of Service Examination (NHA LOS) administered by the professional examination service of the NAB or its successor organization, pursuant to R 339.14011.~~

~~(3) An applicant may sit for the CORE and the NHA LOS examinations a maximum of 4 times each.~~

R 339.14009 Eligibility for examinations. ~~Rescinded.~~

~~Rule 9. (1) An applicant may take the CORE and the NHA LOS examinations required under R 339.14008(2) after the applicant has received authorization from the department to take the examinations.~~

~~(2) The department shall authorize the applicant to take the examinations when it has received the required fee and a completed application on a form provided by the department and either of the following:~~

~~—(a) Documentation sent directly to the department from an accredited institution verifying that the applicant has met the educational requirements specified in R 339.14008(1)(c)(i).~~

~~—(b) Documentation sent directly to the department that the applicant has met the employment requirements specified in R 339.14008(1)(c)(ii).~~

PART 2. EDUCATION, EXAMINATIONS, AND LICENSURE

R 339.14011 ~~Passing examination scores.~~ Accreditation standards; adoption by reference.

~~Rule 11. The passing score for the CORE and for the NHA LOS examinations is the passing score recommended by the NAB.~~

(1) The department, in consultation with the board, adopts by reference the standards and procedures for recognition of accrediting organizations of CHEA, effective January 1, 2022, and the procedures and criteria for recognizing accrediting agencies of the United States Department of Education, effective July 1, 2020, as contained in 34 CFR part 602 (2022). The CHEA recognition standards may be obtained from the council's website at <http://www.chea.org> at no cost. The federal recognition criteria may be obtained at no cost from the United States Department of Education's website at: <http://www.ed.gov>.

(2) Copies of the standards and criteria recognizing accrediting agencies used by CHEA and the department of education are available for inspection and

distribution at cost of 10 cents per page from the Board of Nursing Home Administrators, Bureau of Professional Licensing, Department of Licensing and Regulatory Affairs, 611 West Ottawa Street, P.O. Box 30670, Lansing, Michigan 48909.

R 339.14012 ~~Training standards for identifying victims of human trafficking; requirements.~~ **Educational requirements; approved course of instruction and training.**

Rule 12. (1) An applicant for licensure shall have earned a bachelor's degree from an accredited college or university that satisfies the requirements of R 339.14011.

(2) An applicant for licensure shall have earned not less than 9 semester hours or 144 clock hours of instruction in courses approved under subrule (3) of this rule. The instructional hours required by this subrule may be earned as a part of the applicant's degree program that satisfied the educational requirement of subrule (1) of this rule.

(3) The department, in consultation with the board, approves a course of instruction and training offered by an institution that meets the accreditation standards in R 339.14011 and includes all of the following subjects:

- (a) Administrative management of a nursing home.
- (b) Financial management of a nursing home.
- (c) Gerontology or the aging process.
- (d) Human resources management in a nursing home.
- (e) Identification of elder abuse and neglect.

(f) State and federal laws and regulations regarding the nursing home industry, operation of a nursing home, emergency preparedness, including Medicare and Medicaid provider compliance with the requirements of the Life Safety Code, and the protection of patients' health, safety, and welfare in a nursing home.

(a) Pursuant to section 16148 of the code, MCL 333.16148, an individual licensed or seeking licensure shall complete training in identifying victims of human trafficking that meets the following standards:

—(a) Training content must cover all of the following:

—(i) Understanding the types and venues of human trafficking in Michigan or the United States.

(ii) Identifying victims of human trafficking in health care settings.

(iii) Identifying the warning signs of human trafficking in health care settings for adults and minors.

(iv) Resources for reporting the suspected victims of human trafficking.

—(b) Acceptable providers or methods of training include any of the following:

—(i) Training offered by a nationally recognized or state recognized, health related organization.

(ii) Training offered by, or in conjunction with, a state or federal agency.

(iii) Training obtained in an educational program that has been approved by the board for initial licensure, or by a college or university.

(iv) Reading an article related to the identification of victims of human trafficking that meets the requirements of subdivision (a) of this subrule and is published in a peer review journal, health care journal, or professional or scientific journal.

~~—(c) Acceptable modalities of training include any of the following:~~

~~—(i) Teleconference or webinar.~~

~~(ii) Online presentation.~~

~~(iii) Live presentation.~~

~~(iv) Printed or electronic media.~~

~~—(2) The department may select and audit a sample of individuals and request documentation of proof of completion of training. If audited by the department, an individual shall provide an acceptable proof of completion of training, including either of the following:~~

~~—(a) Proof of completion certificate issued by the training provider that includes the date, provider name, name of training, and individual's name.~~

~~—(b) A self certification statement by an individual. The certification statement must include the individual's name and either of the following:~~

~~—(i) For training completed pursuant to subrule (1)(b)(i) to (iii) of this rule, the date, training provider name, and name of training.~~

~~(ii) For training completed pursuant to subrule (1)(b)(iv) of this rule, the title of article, author, publication name of peer review journal, health care journal, or professional or scientific journal, and date, volume, and issue of publication, as applicable.~~

~~—(3) Pursuant to section 16148 of the code, MCL 333.16148, the requirements specified in subrule (1) of this rule apply to all license renewals and for initial licenses issued on or after March 17, 2021.~~

R 339.14014 Examination approval and adoption; passing score; limitations.

Rule 14. (1) The board approves and adopts the NAB CORE and the NAB NHA LOS examinations developed, administered, and scored by the NAB or its successor organization.

(2) The accepted passing score for the NAB CORE and the NAB NHA LOS examinations is the passing score established by the NAB or its successor.

(3) An applicant may retake the NAB CORE and the NAB NHA LOS in compliance with the limitations established by the NAB or its successor organization.

R 339.14017 Application for initial nursing home administrator license; requirements.

Rule 17. The department shall issue a nursing home administrator license to an applicant who, in addition to satisfying the requirements of the code and administrative rules, satisfies all of the following:

(a) Submits a completed application on a form provided by the department.

(b) Pays the required fee to the department.

(c) Complies with either of the following:

(i) Has completed the educational requirement and the course of instruction and training that meets the requirements of R 339.14012.

(ii) Has been employed as a chief executive or administrative officer at a state-licensed hospital for not less than 5 of the 7 years immediately preceding the date of

applying for a nursing home administrator license, as provided in section 17309(3) of the code, MCL 333.17309.

(d) Passes both of the following examinations:

(i) The NAB CORE administered by the professional examination service of the NAB or its successor organization.

(ii) The NAB NHA LOS administered by the professional examination service of the NAB or its successor organization.

R 339.14020 Relicensure.

Rule 20. (1) An applicant for relicensure whose Michigan license has lapsed, under the provisions of 16201(3) or (4) of the code, MCL 333.16201, as applicable, may be relicensed by complying with the following requirements as noted by (√):

(1) (a) An applicant who has let his or her whose Michigan license has lapse lapsed and who does not hold a current and valid nursing home administrator license in another state of the United States or province of Canada:	Lapsed 0-3 Years years.	Lapsed More more than 3 Years years.
(a) (i) Submits a completed application on a form provided by the department, together with the requisite fee.	√	√
(b) (ii) Establishes that the applicant is of good moral character.		√
(c) (iii) Submits fingerprints as set forth in section 16174(3) of the code, MCL 333.16174.		√
(d) (iv) Passed the NAB CORE and the NAB NHA LOS examinations within 2 years of application for relicensure.		√
(e) (v) Completed 36 hours of approved continuing education credits as required by R 339.14022 and R 339.14024 339.14021 during the 2 years immediately preceding the application for relicensure.	√	√
(f) (vi) If applicable, provide proof of any nursing home administrator license previously held: An applicant who is or has ever been licensed, registered, or certified in a health profession or specialty by another state, the United States military, the federal government, or another country, shall do both of the following: (A) Disclose each license, registration, or certification on the application form. (B) Satisfy the requirements of section 16174(2) of the code, MCL 333.16174, including verification from the issuing entity showing that disciplinary	√	√

<p>proceedings are not pending against the applicant and sanctions are not in force at the time of application.</p> <p>An applicant's nursing home administrator license in good standing must be verified by the licensing agency of any state of the United States or province of Canada in which the applicant has ever held a nursing home administrator license.</p> <p>Verification must include the record of any disciplinary action taken or pending against the applicant.</p>		
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(2)(b) An applicant who has let his or her Michigan license lapse and who is currently licensed or registered in another state of the United States or province of Canada may be relicensed under section 16201(4) of the code, MCL 333.16201, if the applicant satisfies all of the following:	Lapsed 0-3 Years years.	Lapsed More more than 3 Years years.
(a) (i) Submits a completed application on a form provided by the department, together with the requisite fee.	√	√
(b) (ii) Establishes that the applicant is of good moral character.		√
(c) (iii) Submits fingerprints as set forth in section 16174(3) of the code, MCL 333.16174.		√
(d) (iv) Completed 36 hours of approved continuing education credits as required by R 339.14022 and 339.14021 during the 2 years immediately preceding the application for relicensure.	√	√
<p>(e) Provides proof of a current and valid nursing home administrator license:</p> <p>(v) An applicant who is or has ever been licensed, registered, or certified in a health profession or specialty by another state, the United States military, the federal government, or another country, shall do both of the following:</p> <p>(A) Disclose each license, registration, or certification on the application form.</p> <p>(B) Satisfy the requirements of section 16174(2) of the code, MCL 333.16174, including verification</p>	√	√

<p>from the issuing entity showing that disciplinary proceedings are not pending against the applicant and sanctions are not in force at the time of application.</p> <p>An applicant's nursing home administrator license in good standing must be verified by</p> <ul style="list-style-type: none"> the licensing agency of any state of the United States or province of Canada in which the applicant holds or has ever held a nursing home administrator's license. Verification must include the record of any disciplinary action taken or pending against the applicant. 		
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(2) If relicensure is granted and it is determined that a sanction has been imposed by another state, the United States military, the federal government, or another country, the disciplinary subcommittee may impose appropriate sanctions under section 16174(5) of the code, MCL 333.16174.

R 339.14020a Licensure by endorsement.

Rule 20a. (1) An applicant for a nursing home administrator license by endorsement, in addition to meeting the requirements of the code and these rules, shall submit the required fee and a completed application on a form provided by the department.

(2) If an applicant holds a current, valid Health Services Executive designation granted by the NAB, then the applicant is presumed to meet the requirements of section 16186(1)(b) of the code, MCL 333.16186.

~~(2)(3) If an applicant does not satisfy subrule (2) of this rule but has been registered or licensed as a nursing home administrator in 1 or more state for 5 years or more immediately preceding the date of filing an application for a Michigan nursing home administrator license, then the applicant is presumed to meet the requirements of section 16186(1)(b) of the code, MCL 333.16186.~~

~~(3)(4) If an applicant does not satisfy subrules (2) or (3) of this rule has been registered or licensed as a nursing home administrator in 1 or more state for less than 5 years immediately preceding the date of filing an application for a Michigan nursing home administrator license, then the applicant shall meet the requirements for initial licensure as specified in R 339.14008 339.14017.~~

~~(4)(5) Additionally, An the applicant shall have his or her license or registration in good standing verified by the licensing agency of any state of the United States in which the applicant holds or ever held a license or registration as a nursing home administrator. Verification must include the record of any disciplinary action taken or pending against the applicant. comply with both of the following:~~

(i) Disclose each license, registration, or certification in a health profession or specialty issued by any other state, the United States military, the federal government, or another country on the application form.

(ii) Satisfy the requirements of section 16174(2) of the code, MCL 333.16174, which includes verification from the issuing entity showing that disciplinary proceedings

are not pending against the applicant and sanctions are not in force at the time of application.

PART 3. CONTINUING EDUCATION AND LICENSE RENEWAL

R 339.14021 License renewal; continuing education requirements; limitations. documentation; waiver.

Rule 22. (1) An applicant for license renewal shall accumulate not less than 36 hours of continuing education credits approved by the board during each license cycle.

(2) Not less than 16 of the required continuing education hours per license cycle must be completed in a live or live, synchronous format.

(3) Not less than 2 continuing education credit hours must be earned in pain and symptom management during each renewal cycle, as required under section 16204 of the code, MCL 333.16204.

(4) Not less than 1 continuing education credit hour must be earned in state specific laws and regulations pertaining to licensed nursing home and nursing care facilities during each renewal cycle.

(5) A licensee's renewal submission is the certification that he or she has accumulated the required continuing education during the preceding 2-year licensing cycle. The department may select and audit a sample of renewal applications and request a licensee to produce documentation proving that the licensee complied with the continuing education requirements.

(6) The licensee shall retain documentation of the approved continuing education credit hours earned for a period of 4 years after renewal of the license.

(7) The continuing education credit hours earned during 1 renewal cycle shall not be carried forward to the next renewal cycle.

(8) Except for the implicit bias training required under R 338.7004 that may be used to comply with R 338.7004 and a continuing education requirement, an applicant may not earn continuing education for a continuing education program that is identical to a program the applicant has already earned credit for during that renewal period.

(9) A request for a waiver under section 16205 of the code, MCL 333.16205, must be received by the department at least 30 days before the last regularly scheduled board meeting before the expiration date of the license.

PART 4. CONTINUING EDUCATION

R 339.14022 Required continuing education; certification; documentation. ~~Rescinded.~~

~~R 339.14022 Required continuing education; certification; documentation.~~

~~Rule 22. (1) A licensee shall accumulate not less than 36 hours of continuing education credits during each license cycle from courses approved pursuant to R 339.14026 or R 339.14026a.~~

~~(2) A licensee's renewal submission is the certification that he or she has accumulated 36 hours of continuing education during the preceding, 2-year licensing cycle.~~

~~-(3) The board may require an applicant or licensee to submit evidence to demonstrate compliance with this rule.~~

~~-(4) The licensee shall retain documentation of the approved continuing education credit hours earned for a period of 4 years after renewal of the license.~~

~~-(5) The department may select and audit a sample of renewal applications and request a licensee to produce documentation proving that the licensee complied with continuing education requirement in subrule (1) of this rule.~~

~~-(6) The department shall receive a request for a waiver under section 16205 of the code, MCL 333.16205, before the expiration date of the license.~~

R 339.14024 Credits earned; limit on distance learning credits; required credits.**Rescinded.**

~~Rule 24. (1) As used in this rule, "participation" means education time, exclusive of any break.~~

~~-(2) One continuing education credit hour is earned for each 50 to 60 minutes of participation in an approved continuing education course. After completion of the initial 60 minutes, continuing education credit may be earned in tenth of an hour increments for each additional 6 minutes of participation in an approved continuing education course.~~

~~-(3) Fifteen continuing education credit hours are earned for each semester credit hour earned from an accredited college or university.~~

~~-(4) Ten continuing education credit hours are earned for each academic quarter credit hour earned from an accredited college or university.~~

~~(5) A maximum of 20 continuing education credit hours may be earned through online or electronic media, such as videos, internet web-based seminars, video conference, online continuing education programs, or through any other media that do not permit live interaction between the presenter and the licensee.~~

~~-(6) A minimum of 2 continuing education credit hours must be earned in pain and symptom management during each renewal cycle, as required under section 16204 of the code, MCL 333.16204.~~

~~-(7) A minimum of 1 continuing education credit hour must be earned in state specific laws and regulations pertaining to licensed nursing home and nursing care facilities during each renewal cycle.~~

R 339.14024a Carry over credit; duplicate continuing education credit; limitation.**Rescinded.**

~~Rule 24a. (1) The continuing education credit hours earned during 1 renewal cycle shall not be carried forward to the next renewal cycle.~~

~~-(2) A licensee shall not earn continuing education credit for completing the same course twice within the same renewal cycle.~~

R 339.14026 Approved continuing education courses.

Rule 26. If a continuing education course covers a qualifying subject specified in R 339.14032, the following continuing education courses are approved by the board:

(a) A **continuing education** course approved by the NAB.

(b) A **An academic or continuing education** course offered by a college or university that meets the accreditation standards adopted in R 339.14005 **339.14011.**

~~R 339.14026a Application for board approval of continuing education course. **Rescinded.**~~

~~—Rule 26a. (1) If a continuing education course is not approved pursuant to R 339.14026, the sponsor of the course may seek board approval by complying with both of the following:~~

~~—(a) Completing and submitting an application on the form provided by the department not less than 120 days before the first date of instruction.~~

~~—(b) Submitting with the application all of the following materials:~~

~~—(i) A detailed course outline that must include the length of time designated for each topic.~~

~~—(ii) A list of instructional materials.~~

~~—(iii) A copy of each instructor's résumé.~~

~~—(iv) A description of the methodology to be used to monitor and verify attendance and the sponsor's policy for retention of documents verifying course completion.~~

~~—(v) A written policy describing the sponsor's refund policy.~~

~~—(2) If the sponsor of the course is seeking approval for credits that may be used to satisfy the pain and symptom management continuing education required by R 339.14024(6), the board may approve credit or credits that could be applied toward that requirement based on the length of time the topic will be covered in the course.~~

~~—(3) At the conclusion of each board-approved course, the sponsor of the course shall award to each participant a certificate or written evidence of attendance that indicates all of the following:~~

~~—(a) The participant's name.~~

~~—(b) The date the course was offered.~~

~~—(c) The location of where the course offered.~~

~~—(d) The sponsor approval number.~~

~~—(e) The number of hours of continuing education earned.~~

~~—(f) If applicable, the hours of continuing education earned that may satisfy the pain and symptom management continuing education required by R 339.14024(6).~~

~~—(4) The sponsor of the course shall maintain attendance records for 4 years from the date of the course.~~

~~—(5) The board shall not approve any application that was filed after the first date of instruction.~~

~~R 339.14029 Withdrawal of board approval of continuing education course. **Rescinded.**~~

~~—Rule 29. Approval of a continuing education course may be withdrawn by the board for failure to comply with the requirements of R 339.14026a.~~

R 339.14032 Qualifying continuing education subjects.

Rule 32. One or more qualifying subjects shall be covered in a course for the participant to receive continuing education credit. Qualifying subjects are those that contribute to the professional competency of a licensee, including 1 or more of the following:

(a) Behavioral science.

(b) ~~Economics, finance, marketing, or management.~~ **Communications or information technology.**

- (c) ~~Geriatrics, gerontology, or aging.~~ **Economics, finance, marketing, or management.**
- (d) ~~Health care, patient care, or elder abuse and neglect identification.~~ **Geriatrics, gerontology, or aging.**
- (e) ~~Pharmacology and toxicology.~~ **Health care, patient care, or elder abuse and neglect identification.**
- (f) Human resources.
- (g) ~~State and federal laws and regulations regarding the nursing home industry.~~ **Implicit bias training.**
- (h) ~~Communications or information technology.~~ **Pain and symptom management.**
- (i) ~~Pain and symptom management.~~ **Pharmacology and toxicology.**
- (j) **State and federal laws and regulations regarding the nursing home industry.**